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Senior DOJ Appellate Lawyer Jumps to US House General Counsel's Office

Megan Barbero joined General Counsel Douglas Letter's office this month as an associate general counsel, after spending five years with the Justice Department's civil appellate team.

By C. Ryan Barber | March 21, 2019

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The U.S. House of Representatives has hired a senior U.S. Justice Department appellate lawyer to work under general counsel Douglas Letter, boosting his team's litigation prowess as the Democratic majority braces for court battles with the Trump administration.

Megan Barbero joined Letter's office this month as an associate general counsel after spending five years with the Justice Department's civil appellate team.



Megan Barbero, then a DOJ appellate lawyer, argues in an ACA case in the Second Circuit in 2015. Screen grab from C-SPAN. Watch the full video [here](#) (<https://www.c-span.org/video/?323944-1>)

Earlier, she was an associate and counsel at the Washington-based firm **Wilmer** [1/the-roman-catholic-diocese-york-alv-kathleen-sebelius-oral-argument\).](#)

Cutler Pickering Hale and Dorr

(<https://www.law.com/law-firm-profile/?id=329&name=WilmerHale>).

In recent months, Barbero had served on Justice Department teams defending President Donald Trump against lawsuits claiming his continued ownership of his Washington hotel violates the Constitution's anti-corruption clauses.

Noting her departure, Barbero recently withdrew from the two cases—in the U.S. Court of Appeals for the Second Circuit and in the Fourth Circuit—which allege Trump has violated clauses in the Constitution prohibiting the president and other federal officials from receiving government-bestowed financial gains, or so-called emoluments, other than their salaries.

Letter and Barbero were not reached for comment Thursday.

Letter was formerly a top appellate lawyer at the Justice Department, where he directed the civil division's appellate staff. He left Main Justice in 2018 **for a post**



Douglas Letter. Credit: C-SPAN.

(<https://www.law.com/nationallawjournal/sites/nationallawjournal/2018/01/03/doj-appellate-lawyer-jumps-to-us-house-general-counsel-s-office>

[**doug-letter-veteran-appellate-lawyer-leaves-for-georgetown-law-post/**](#)) at Georgetown University Law Center, ending more than four decades of service at the Justice Department.

House Speaker Nancy Pelosi, D-California, named (<https://www.law.com/nationallawjournal/2018/12/28/pelosi-picks-ex-doj-appellate-vet-douglas-letter-as-house-general-counsel/>) Letter in January as House general counsel, a position that would play a key role in court fights against the Trump administration. Letter succeeded ([https://www.law.com/nationllawjournal/2019/01/22/thomas-hungar-formerly-house-general-counsel-returns-to-gibson-dunn/](https://www.law.com/nationallawjournal/2019/01/22/thomas-hungar-formerly-house-general-counsel-returns-to-gibson-dunn/)) Thomas Hungar, who returned to **Gibson, Dunn & Crutcher** (<https://www.law.com/law-firm-profile/?id=119&name=Gibson-Dunn>).

Barbero started at Wilmer as an associate in 2006, after clerking for Judge Pamela Rymer on the U.S. Court of Appeals for the Ninth Circuit. She was promoted to counsel at the firm in 2012.

The addition of Barbero adds appellate strength to the House ahead of possible clashes with the Trump administration and companies as the Democratic majority, led by Pelosi, undertakes aggressive oversight efforts.

Already, the White House has ignored or resisted many document requests from House committees investigating Trump, setting the stage for litigation to compel the Trump administration's cooperation. White House Counsel Pat Cipollone has questioned (<https://www.justsecurity.org/63089/white-house-counsels-flawed-response-congress-security-clearances/>) the legislative purpose of some of the information the House committees are demanding to inspect.

Barbero joins Letter's deputy, Todd Tatelman, and Kimberly Hamm, an associate general counsel. Tatelman has worked in the office since 2011, Hamm since 2014. Brooks Hanner, an assistant general counsel, joined Letter's team in July 2018 from

Hogan Lovells (<https://www.law.com/law-firm-profile/?id=143&name=Hogan-Lovells>), where he was a senior associate.

"Doug is known to many of us as really one of the best lawyers in the country. I think he trusts [Barbero] enormously and, in our view as a firm, that trust is well-paced," said Wilmer Hale partner Jamie Gorelick, who chairs the firm's regulatory and government affairs team. "She's a very careful, thoughtful lawyer. It doesn't surprise me at all that Doug asked her to come over."

Gorelick said Letter was responsible for hiring Barbero away from Wilmer Hale, where she was on the appellate team in the Boston and Washington offices.

Earlier in her Justice Department career, Barbero was on a civil division team in the D.C. Circuit that defended the constitutionality of in-house judges at the U.S. Securities and Exchange Commission. In 2014, the year she joined the Justice Department, she defended the Affordable Care Act on a team that included appellate lawyer Adam Jed, who later joined the special counsel's office led by Robert Mueller III.

Barbero also was on the DOJ's team in a D.C. Circuit case where U.S. Rep. Elijah Cummings, now chair of the House Oversight Committee, was seeking lease information and other documents from the General Services Administration about Trump's hotel in downtown Washington. Barbero, who has withdrawn from the case, was defending Emily Murphy, the GSA administrator.

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An earlier version of this report misidentified the last name of Brooks Hanner.

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